

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF ROBERT STUART COLLINS VSB DOCKET NO. 13-000-095889

AGREED DISPOSITION MEMORANDUM ORDER

On September 16, 2015, this matter was heard by the Virginia State Bar Disciplinary Board upon the joint request of the parties for the Board to accept the Agreed Disposition signed by the parties and offered to the Board as provided by the Rules of the Supreme Court of Virginia. The panel consisted of William H. Atwill, Jr., 1st Vice Chair, Anderson W. Douthat IV, John A.C. Keith, Melissa W. Robinson and David R. Schultz. The Virginia State Bar was represented by Renu M. Brennan, Assistant Bar Counsel. Robert Stuart Collins was present and was not represented by counsel. The Chair polled the members of the Board as to whether any of them were aware of any personal or financial interest or bias which would preclude any of them from fairly hearing the matter to which each member responded in the negative. Court Reporter, Jennifer L. Hairfield, Chandler and Halasz, P.O. Box 9349, Richmond, Virginia 23227, telephone (804) 730-1222, after being duly sworn, reported the hearing and transcribed the proceedings.

WHEREFORE, upon consideration of the Agreed Disposition, the Rule to Show Cause and Order of Summary Suspension and Hearing, Notice of Hearing, and Respondent's Disciplinary Record,

It is **ORDERED** that the Board accepts the Agreed Disposition and the Respondent shall receive a Two-Year Suspension with Terms, as set forth in the Agreed Disposition, which is attached to this Memorandum Order.

It is further **ORDERED** that the sanction is effective *nunc pro tunc* January 6, 2014.

The Clerk of the Disciplinary System shall assess costs pursuant to ¶ 13-9 E. of the Rules.

4. A copy teste of this Order shall be mailed by Certified Mail, Return Receipt Requested to Robert Stuart Collins, at his last address of record , 635 Orchard Lane SW, Wise, VA 24293 with the Virginia State Bar and hand-delivered to Renu M. Brennan, Assistant Bar Counsel, 1111 East Main Street, Suite 700, Richmond, Virginia 23219-0026.

ENTERED THIS 16th DAY OF SEPTEMBER, 2015

VIRGINIA STATE BAR DISCIPLINARY BOARD

**William H.
Atwill, Jr.**

Digitally signed by William H. Atwill, Jr.
DN: cn=William H. Atwill, Jr.,
o=Atwill, Troxell & Leigh, PC, ou,
email=batwill@atandlpc.com, c=US
Date: 2015.09.16 12:49:14 -04'00'

William H. Atwill, Jr., 1st Vice Chair

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VIRGINIA:

**BEFORE THE DISCIPLINARY BOARD
OF THE VIRGINIA STATE BAR**

CLERK'S OFFICE

**IN THE MATTER OF
ROBERT STUART COLLINS**

VS **VS** **Docket No. 13-000-095889**

**AGREED DISPOSITION
(Two-Year Suspension with Terms)**

Pursuant to the Rules of the Virginia Supreme Court Rules of Court Part 6, Section IV, Paragraph 13-6.H., the Virginia State Bar, by Renu Mago Brennan, Assistant Bar Counsel, and Robert Stuart Collins, Respondent, *pro se*, hereby enter into the following Agreed Disposition arising out of the referenced matter.

I. STIPULATIONS OF FACT

1. At all relevant times, Respondent Robert Stuart Collins (Respondent) was licensed to practice law in the Commonwealth of Virginia.

2. On May 19, 2013, Respondent pled guilty to four (4) counts of possession of a controlled substance by fraud in violation of 21 U.S.C. § 843(a)(3) in the United States District Court for the Western District of Virginia, Big Stone Gap Division, Case No. 2:12CR00023. These felony counts constitute crimes as defined by the Rules of the Supreme Court of Virginia, Part Six, Section IV, Paragraph 13-22.A.

3. By Judgment entered December 2, 2013, the United States District Court for the Western District of Virginia sentenced Respondent to twenty (20) months in prison and one (1) year supervised release, on each count, to run concurrently.

4. Pursuant to the Rules of the Supreme Court of Virginia, Part Six, Section IV, Paragraph 13-22, by Order entered December 26, 2013, the Virginia State Bar Disciplinary Board (Board) suspended Respondent's license to practice law within the Commonwealth of Virginia effective January 6, 2014. By the same Order, Respondent was ordered to show cause before the Board, on January 24, 2014, as to why his license to practice law within Virginia should not be further suspended or revoked.

5. Respondent was incarcerated from January 8, 2014, to June 2015. He thus requested a continuance of the January 24, 2014, show cause hearing until after he completed his sentence. The Board granted his request, and the hearing is scheduled for October 23, 2015.

6. The offense dates for the four (4) counts of felony possession of a controlled substance by fraud occurred in June 2008 and July, August, and October 2009. Respondent asserts that the counts relate to his obtaining Ambien, a sleep aid medication, from his family doctor when he was also receiving controlled drugs, which he did not report to his family doctor. Three of the offenses occurred after a serious car accident in May 2009 in which Respondent

suffered multiple broken bones and which, he contends, exacerbated impairment issues he was already experiencing.

7. In 2010, Respondent underwent rehabilitation at a treatment facility and entered into a contract with Lawyers Helping Lawyers (LHL), which he successfully completed.

8. Respondent served his 20-month sentence and is now under supervised probation until June 2016.

9. Respondent acknowledges that he alone is to blame for the felony convictions and expresses remorse for his actions.

II. PROPOSED DISPOSITION

Accordingly, and in recognition of the fact that Respondent has no disciplinary record and has expressed remorse for the conduct which led to the felonies, which he asserts was related to his impairment issues, and because Respondent has addressed and continues to address these issues, Assistant Bar Counsel and the Respondent tender to the Disciplinary Board for its approval the agreed disposition of a two-year suspension with terms, effective *nunc pro tunc* January 6, 2014, the effective date of the Suspension of Respondent's license as reflected in the Board's December 26, 2013, Order, as representing an appropriate sanction if this matter were to be heard through an evidentiary hearing by a panel of the Board. Respondent must comply with the following terms:

1. Not later than September 30, 2015, Respondent shall participate in an evaluation conducted by Lawyers Helping Lawyers ("LHL") and shall implement all of LHL's recommendations. Respondent shall enter into a written contract with LHL for a minimum period of one (1) year and shall comply with the terms of such contract, including, *inter alia*, personally meeting with LHL and its professionals, as directed. Respondent shall authorize LHL (i) to provide periodic reports to the Office of Bar Counsel stating whether Respondent is in compliance with LHL's contract with Respondent, and (ii) to notify the Office of Bar Counsel promptly if Respondent fails to follow the LHL-prescribed program, or ends participation in the LHL-prescribed program sooner than the expiration of the LHL contract.
2. Respondent shall provide all reports and assessments of any kind by his probation officer to the Office of Bar Counsel, including the results of any and all periodic drug tests. Respondent shall also report, in writing, on or before the last day of each month, from September 2015 to the successful completion of his probation, to the Office of Bar Counsel as to whether he is in compliance with the conditions of his supervised release, and this monthly report shall identify any issues, violations, or findings of any kind by the probation officer to the Bar. If the probation officer finds that Respondent is not in compliance with his supervised probation, this finding shall constitute a violation of this term.

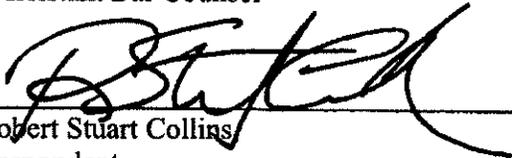
Upon satisfactory proof that such terms and conditions have been met, this matter shall be closed. If, however, all the terms and conditions are not met by the deadlines imposed above, the Respondent agrees that the Disciplinary Board shall revoke his license to practice law in the Commonwealth of Virginia pursuant to Rules of Court, Part Six, Section IV, Paragraph 13-18.O.

If the Agreed Disposition is approved, the Clerk of the Disciplinary System shall assess an administrative fee.

THE VIRGINIA STATE BAR

By: 

Renu Mago Brennan,
Assistant Bar Counsel



Robert Stuart Collins,
Respondent